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KATTEN MUCHIN ROSENMAN LLP 575 MADISON AVENUE			LESLIE, MICHAEL S	
	NY 10022-2585		ART UNIT	PAPER NUMBER
			3745	

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILLING DATE OF THIS COMMUNICATION. Eatherised filter may be available under the provisions of 3/CPR 1.13(6). In no event, however, may a reply be timely filed # the period for reply seculated wow in less than thiny (20) days, a reply within the statutory minimum of thiny (30) days, will be considered timely. ## It he period for reply seculated above, the maximum statutory period will apply and will english (5) (6) MONTHS from the mailing date of this communication. ## It he period for reply seculated above, the maximum statutory period will apply and will english (5) (6) MONTHS from the mailing date of this communication. ## It he period for reply seculated above, the maximum statutory period will be superioristic to become ABANDONED (35 U.S.C. § 113). Any reply seculated by the office date of the superioristic term supplies of the superioristic term supplies and supplies and the superioristic term supplies and the superioristic term supplies and the superioristic term supplies and			,	SP
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2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-5 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 2-5 is/are allowed. 6) Claim(s) 1 is/are rejected. 7) Claim(s) 1 is/are rejected. 7) Claim(s) 1 is/are rejected to. 8) Claim(s) 1 is/are rejected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The drawing(s) filed on 18 June 1999 is/are: a) ccepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:	Status			
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DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they

do not include the following reference sign(s) mentioned in the description: "D" (Fig. 1), "P21"

and "P22" (Fig. 2). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required

in reply to the Office action to avoid abandonment of the application. Any amended replacement

drawing sheet should include all of the figures appearing on the immediate prior version of the

sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing

date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the

applicant will be notified and informed of any required corrective action in the next Office

action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: In the Abstract, last

line, "Associated drawing to be published: Fig. 1" should be deleted.

Appropriate correction is required.

Claim Objections

Claims 1, 2, and 5 are objected to because of the following informalities: Claim 1, Line

4, "and which" should be --which--; Claim 2, Line 9, "a drive" should be --each drive--; Claim

5, Line 2, "drive group" should be --drive circuit group--. Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Appel.

Appel discloses a hydraulic circuit having a motor drive (Not shown) acting on at least two closed drive circuits (3, 4) each having a hydraulic pump (5, 6) and a hydraulic motor (7, 8) operating on a common output drive, connecting lines are arranged only between the pump and motor of the respective drive circuits, and the respective drive circuits each having its own control valve (15, 16).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aoyagi et al (4561250) in view of Morrow et al (GB 2097752).

Aoyagi et al discloses a hydraulic circuit having at least two closed drive circuits, driven by motor drives (1a, 1b), each having a hydraulic pump (3a, 3b) and a hydraulic motor (7a, 7b)

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operating on a common output drive (11), connecting lines (5a, 6a, 5b, 6b) are arranged only

between the pump and motor of the respective drive circuits, and the respective drive circuits

each having its own control valve (14a, 14b). Aoyagi et al does not teach the use of a motor

drive acting on each drive circuit.

Morrow et al teaches a hydraulic circuit having a motor drive acting on at least two

closed drive circuits having a pump (52) and motor (42) connected by connecting lines, wherein

the motors operate on a common output (Fig. 3).

It would have been obvious to one having ordinary skill in the art at the time the

invention was made to modify the circuit of Aoyagi et al by having a motor drive acting on the at

least two closed drive circuits as taught by Morrow et al for the purpose of driving the pumps of

the closed drive circuits.

Allowable Subject Matter

Claims 2-5 are allowed.

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. US Patents 4126994, 3916767, 3526288, and 3279172 each disclose a hydraulic

circuit having a motor drive acting on at least two closed drive circuits.

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Conclusion

Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to Michael Leslie whose telephone number is (571) 272-4819. The

examiner can normally be reached on M-F 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward Look can be reached on (571) 272-4820. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML

June 7, 2005

Michael Leslie

Patent Examiner

AU 3745

EDWARD K. LOOK SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3700

6/11/05